A good adv, in a bunch of poor ones, like rain after drought, makes money grow.-Rusty Mike's Diary.

IN BUSINESS-LIKE WAY

Jury Panel Exhausted After Five Hours of Examination, With No One Finally Accepted by Counsel.

Fact Develops That Defense Will Make Use of the President's Activity in Sending Recent Letters.

pants in the averaging conspiracy by the old labor troubles in Idaho, and if of Frank Steunenberg was plotted and bles at the time. A remarkable feature life today. Counsel for state and pris- talesmen questioned by the defense oner entered at once, in business-like way, upon the examination of prospective jurors and kept steadily at the test for five hours. No juror was finally accepted, but substantial progress was made and the indications at the close of the session were that a jury could be obtained by the end of next

Earnest and Business-Like.

The opening day of the trial went through to its conclusion in quiet harmony, unmarked by unusual incident. It was earnest and business-like. Its striking feature was the entire absence of crowds or demonstration in any At no time, morning or afteron, was the court room more than half filled and the streets forming the courthouse square contained not a sin-

The case was halted shortly before 5 o'clock by the exhaustion of the jury out the fact that certain labor and sountil Monday morning. Meantime, the sheriff will summon a special venire of The eleven men under examination, but not yet finally accepted or rejected, were locked up and will be closely guarded.

Prisoner's Family in Court.

preferences, but Haywood seems con- lenge. the ordeal of appearance in court very Mrs. Haywood and her children did not attend the afternoon session.

Features of the Examination.

Haywood and his associates "undesira- resisted by the state. citizens," the speeches in Idaho of Secretary Taft, the message of Governor Gooding to the legislature of

tion of the three prisoners. examination of the talesmen, was also daughter, Miss Cora Peabody: Charles particular to ascertain their attitude Sweeney, mine owner of Spokane; Detoward Socialists and members of la- tective professional, personal, fraternal, re- Hamlin, secretary of the Mine Owners' ligious or political offiliations with any association of Cripple Creek; Julian of the counsel for the state, any con- Steunenberg, son of the dead govnection with detective agencies, any ernor; a number of residents of Caldexperience in the pursuit or prosecution well, Coeur d'Alenes, Colorado, offi-

Boise, Idaho, May 9 .- William D. to any fund for the prosecution of the Haywood, first of the alleged partici- prisoners, if they were members of the which it is averred the assassination they had taken sides in the labor trouexecuted, was placed upon trial for his of this examination was that all of the and a majority of them said they were Republicans.

Line on the Defense.

The chief concern of the counsel for was committed, the effect of the mandegree, and on union labor. They also questioned each talesman as to his acselecting juries for criminal cases is to call twelve talesmen to the jury

diately filling any vacancies that occur. The state first conducts a com-Haywood was brought to the court plete examination that continues unroom sharp at 10 o'clock in the morn- til twelve men have been passed, when ing. He found his family in a line of the body of talesmen pass to the dechairs to the right of his seat and in front were all of his counsel. He devoted more attention to his youngest the general examination is in the hands daughter than to anyone else, and throughout the day took practically no part in the selection of jurors. Many men in similar jeopardy, as a rule, make close study of their man finally passed by both sides. They have not make close study of their prospective been finally accepted and sworn and jurors and frequently express personal are still subject to peremptory chal-

hands of his lawyers. Haywood gave and veteran of the civil war; William no sign of any feeling or emotion, but Van Orsale. a grocer of Borner "Fire Alarm" No Long- Directors Vote to Place Both Suburban Train Wrecked Near sat quietly throughout the day. Mrs. Samuel D. Gilman, a farmer, who lives Haywood and the older daughter stood in the country ten miles from Boise Gilman served in the Philippines with well, but the younger child cried after the Idaho volunteers. Under the law as the examination of talesmen began, recently amended each side has ten peremptory challenges.

tended to give both sides wide latitude chairman of the Republican executive in the examination of talesmen. He also showed a willingness to grant chal
the state executive committee, the state executive committee executive committee. The state executive committee executive committee executive committee executive committee. tended to give both sides wide latitude chairman of the Republican executive Union Pacific & Southern Pacific com-The questioning of the defense took a also showed a willingness to grant chalmuch wider range than that of the lenges where there seemed any reasonstate, and its most striking feature able objection to the attitude of the said: dealt with the possible effect upon the talesman and in the one contest of the minds and attitudes of jurors of the day he ruled with the defense, which letter of President Roosevelt in calling had challenged the talesman and was

Some State Witnesses.

Idaho, the speech in Boise of Senator list of 151 witnesses who are to be call-Heyburn, and the action of the Idaho ed to testify against Haywood. Moyer sentiment of the Ohio Republicans." egislature in passing a resolution and or Pettibone, and Mr. Hawley anappropriating money for the prosecu- nounced that additional names would be filed later. The list includes former Mr. Richardson, who conducted the Governor Peabody, of Colorado, and his or organizations and whether they Adams, Mrs. Steve Adams, Bulkeley ould give them a fair trial. He was Wells, adjutant general of Colorado; so anxious to know if they had any A. E. Carlton, president, and C. C. f criminals, or were members of the cials of Idaho and Colorado, and several

EXHAUSTIVE EXAMINATION OF THE

The big courtroom was only half filled at 10 o'clock, when Judge Wood took the bench and Sheriff "Shad" Hodgin called the session to order. Gray-bearded court bailiffs stood in the aisles ready to pre-serve order. They had little to do. The opposing counsel were arranged at long tables on either side of the witness chair, which is set in the center of the space within the counsel fail. At the defendant's table John Murphy, general counsel of the Western Federation of Miners. sat with other attorneys entered for Haywood. Just back of the defendant's counsel table sat Mrs. Haywood, wife of the
prisoner, in her invalid chair. She was
prisoner, in her two daughters and a accompanied by her two daughters and a was begun.

Judge Wood made several announce-ments in civil proceedings before the finally turned to the array of counsel be-

fore him and asked:
"Is the defendant Haywood in court?" "He is waiting to be called," said Mr.

Prisoner Brought In.

The next instant Haywood appeared in custody of Deputy Sheriff "Ras" Beemer, employed by Canyon county to guard the accused miners. Haywood, a stockily built man, just short of six feet in height, apparently his long confinement, broken as it has been by daily exercise on the lawn surrounding the courtbours. and weighing perhaps 180 pounds, appeared, clean-shaven this morning, and lawn surrounding the courthouse, has had little effect upon his health. Haywood years ago, losing its sight. He sat today at the end of the line of seats occupied by "Yes, sir." his family. His chair was within a few feet of the first of the jury chairs which are arranged directly in front of the

judge's bench.

Mr. Hawley of the state counsel informed Judge Wood that in accordance with the statutes he would indorse on the Haywood indictment the names of all the "You were discharged?" witnesses for the prosecution so far as they are known at the present time. This was agreeable to the defense.

"Are you ready, gentlemen?" queried Judge Wood.

Next followed the excusing of four

A. L. Ewing, a gray-bearded carpenter, who sat in the foreman's chair, was the first of the panel questioned by Mr. Hawley for the state. The attorney inquired first as to the residence of the proposed juror. He said he had lived here a number of years having come from Gray Chio Means to Grah It. ber of years, having come from Oregon.
He was a native, however, of Indiana.

"Are you a member of the Carpenters' union?" asked Mr. Hawiey.

"No, sir."

"No, sir."
"Have you heard this case discussed

"About four years."
"Ever had any business relations with

"You were discharged?"

"Then I take it you and Governor Steunenberg had a difference?" Continued on Page 2.

WOH - 00-

WOH-A-

BOY,

the state in the examination of talesmen, as indicated by their questions, was their attitude toward circumstantial evidence, the absence of the accused from the state when the crime ner in which the prisoner and his companions were brought from Colorado, the views of the talesmen as to the death penalty for murder in the first quaintance with the murdered governor with a view to disclosing friendship or Their examination brought cialistic papers are being distributed free of charge in parts of Ada county. The custom of the Idaho courts in box and to keep the box full by imme-

tent to leave the matter entirely in the hands of his lawyers. Haywood gave

Judge Wood announced that he in-

PROSPECTIVE JURYMEN BY COUNSEL

"We are," counsel for both sides voiced members of the regular jury panel of twenty-seven names, leaving but twenty-three men to be examined at this time.

long One of the men excused had a sick wife. The others had business interests which deal, was declared in a statement tothey convinced the court would suffer ir- day by Charles W. Taft, brother of the reparably if they were forced to serve in secretary of war.

"Are you a member of any union any-

Knew the Murdered Man.

"Yes, sir."
"How long had you known him?"

James McParland, Steve

and frank exchange in a representative tions. The state today filed a supplementary gathering, and finally the adoption of

Burton in High Glee. Columbus, O., May 9.—Representative

er Awakes an Echo Along

the Ohio River.

Taft, said:

the candidacy of Secretary Taft, and cent convertible bonds. tos from Cincinnati and Toledo mean bonds will be offered at 90. question as to whether the state will of 1,600 miles of completed railway. been eliminated."

"Deal" Rumor Denied.

Chincinnati. O., May 9.-That last night's announcement by George B. was not a part of any compromise or

After reviewing the settlement of the recent trouble in the political situation in Ohio, the statement concludes: "The action next week will remove

"This situation, has been brought

Ohio Means to Grab It. Columbus, O., May 9.-Chairman Ar-

forces in Ohio, said today:

"The purpose of Taft's friends in agitating the question of the choice of Ohio Republicans for the presidency was to dispel the notion that he would not get the united support of Ohio. The "Were you acquainted with Governor teunenberg?"

withdrawal, without stipulation, of all opposition, and in the complete demonteunenberg?"

withdrawal, without stipulation, of all opposition, and in the complete demonteunenberg?"

At the same time the activity of the tension to await sentence.

MOTORMAN KILLED.

Lexington, Ky., May 9 .- William & the straits of Messina.

Companies on a Quarterly Dividend Basis at Once.

No Fusion About This.

Akron, O., May 9.-Senator Dick, "The meeting has not been called for cent on Southern Pacific stock and a the purpose of ratifying any deal or Union Pacific stock was declared. was killed. quarterly dividend of 21/2 per cent on compromise, but to secure party har- These dividends will be payable July mony and unity of purposes which it 1, and are at the same time rate per

The directors of the Southern Pacific some public expression. voicing the voted to offer for subscriptions preferred stock to the extent of 15 per cent | mained on the track. of the company's total capitalization,

or \$36,000,000. Announcement was made after the Burton, who is here in the interest of meeting that the directors of the the presidential candidacy of Secretary Union Pacific will call a stockholders' meeting in June to authorize an issue "I am here in accordance with the of \$100,000,000 common stock, against program for a conference in regard to which will be issued \$75,000,000 4 per and Mrs. F. S. Newell, all of Hinsdale, The new Illinois,

Mine Owners' association. Richard-detectives in the employ of the Pink- I met was the question, 'Why, he won't 700,000. He stated that its total free less severely. Taft's candidacy, the greatest obstacle road's requirements amounted to \$63,- all the passengers were injured more or have his own state, will he?' or a assets were about \$243,000,000, exclusive be divided. As long as things remain He estimated the net earnings of the in that condition, I would have insisted Union Pacific for 1906-7 at \$32,500,000,

> at \$12,000,000. 432,000 in the previous year.

Inhabitants Making Their Escape From the Island-Mount Etna Also Active.

presidential question from local Messina, Sicily, May 9.—The this fall was the rails spread.

Mrs. Mary Mill hension is growing.

thur Vorys, the manager of the Taft screen in Ohio, said today:

Stromboli island have nade their the however, as she was being carried into the hospital.

🕏 seen from Catania and even from 🕏

ENGINE STRUCK

Chicago-Woman Killedand Several Injured.

New York, May 9.—Directors of the Chicago, May 9.—Suburban passen—employes of the Shelby Steel Tube day resigned as secretary of the Chicago, May 9.—Suburban passen—employes of the Shelby Steel Tube day resigned as secretary of the Pennsylvania Board of Trade.

The train was running at high speed stamping tubes that the inspectors had cheated out of the \$2,000,000 couwhen the engine struck a broken rail never seen. was thought could be done after a full annum as the last previous declara- and leaped from the track. It dragged

The Dead.

hip crushed, died while being taken to cretly at the plant. the hospital.

Badly Injured.

also in the interest of the primary re- bonds will be convertible into stock at After leaving the rails, the engine slid he said, and offered him money to get form movement. The pronunciamen- 175 at any time within five years. The along the track for fifty feet and turn- the tubes through the machines. ed over. It rolled down the bank, that Ohio will be for Taft for presi- In explanation of the proposed Union dragging with it the first passenger dent, and I am very glad of that. In Pacific issue, E. H. Harriman read a coach and the baggage car. The roof Washington in promoting Secretary statement which showed that the of the first coach was smashed in and

Wreckage Caught Fire.

The wreckage caught fire, but the flames were quickly extinguished. The steam from the engine burned some of the preparations for the event, administration demands were granted an increase only steam from the engine burned some of took her customary morning and last Monday. upon the primary in order that Ohio as compared with \$30,615,000 in the pre- steam from the engine burned some of should express her choice. I now feel vious year. All income he estimated at the passengers, but the injuries from \diamond afternoon drives. that the necessity for primaries has \$36,300,000, and the balance over all this cause were not severe. The pascharges, requirements and dividends, sengers in the first coach were hurled t \$12,000,000. into a pile. They were rescued with-Mr. Harrimon estimated the net out difficulty. The majority of the inearnings of Southern Pacific for 1906-7 jured were not seriously hurt. Those at \$44,700,000, to be compared with \$37,- whose injuries were more severe were carried half a block from the scene of on the ground. Thence they were con- her room today. The cause of death is parole. Shotwell was serving a life veyed by ambulances to hospitals and nearby durg stores.

Engineer Scalded.

badly scalded and cut, but he aided in the rescue work. He said he was unwecked off the coast of Uruguay, is to announces the gift of \$1,200,000 to Messina, Sicily, May 9.—The & able to account for the accident unless the effect that forty passengers and Princeton university. The money was more violent today, and the appre- Mrs. Mary Miller was the widow of hension is growing.

Mrs. Mary Miller was the widow of lives. The violence of the present dis- @ manager of the Burlington. When the have led the party leaders and have turbance is declared to be without . car overturned Mrs. Miller was thrown precedent, even the oldest inhab. between the seats and the wreckage itant of the Lipari islands not re- ipiled upon her. She was conscious when membering such a threatening taken from the car and insisted that condition. Almost all the people of she was not badly hurt. She died,

not get the united support of Ohio. The events of the past few weeks seem to events of the past few weeks seem to ing. Fears are held that the entrust company of stock certificates of have culminated today in the voluntary withdrawal, without stipulation, of all engulfed. are solidly for Taft for president, and the movement will go forward now with every prospect of his nomination."

Mount Etna, on the eastern coast to the Tombs prison to await sentence. It was reported he will be used as a witness against 0. M. Dennett, the broker who is under arrest charged within, and the clouds can be within, and the clouds can be seen from Catania and even from the complicity in the theft.

RETURNED TO WORK.

lision here today between a street car and a passenger train. The motorman lost control of his car, which was dethe strike in the Crow's Nest Pass the maidens back home to watch out. say, I'm getting the California fever

KERR BACKED BY THE PRESS

of Utah Educator in Leading Portland Journals.

AGRICULTURAL COLLEGE NEEDS STRIKERS INSIST ON 25-CENT JUST SUCH A MAN.

(Special to The Herald.) Portland, Ore., May 9 .- The Morning Oregonian and Evening Telegram Marshal Mauss of Murray said he shad learned from foremen em-shad learne J. Kerr in relation to the attack on decan Smelting & Refining company

The Telegram says, in part: "The ****************** Telegram deliberately gave the public A conference held last night was atthe news of the opposition to the ap- tended by Mayor Brown of Murray, pointment of Mr. Kerr as president of Superintendent Norton of the Amerithe Oregon Agricultural college, believing it was doing Mr. Kerr, as well as announced that nothing was accom-

the people of Oregon, a genuine service plished, the men holding out for a in making public these facts which blanket increase of 25 central the deotherwise might bob up continually against him. The Telegram has discovered that no man could stand higher as a man or educator in Utah than Mr. Kerr. On the strength of its investigation, it wishes to add the warmest approval of the selection of the board of trustees, to congratulate them on the wisdom of their selection and on the smelter plant gate. They were not their good fortune in securing such a man, and to express to Mr. Kerr himself its cordial good will and promise of support in the work he will under- Murray to a great extent yesterday.

The Oregonian, after summarizing Mr. Kerr's Mormon affiliations, points out the credit due him for independence, comments on the resolution it required, and adds in part: "The machine has revenged itself by opposing Mr. Kerr's work and driving him out of his position. It further seeks to ruin his entire life with pursuing calumny wherever he goes. That a purpose so wicked should succeed in Oregon seems plant Wednesday night. entirely incredible. We assure him his welcome here does not depend upon his religious opinions, nor need he stultify his reason with degraded superstition in order to win the confidence of our

EMMETT'S STORY STRAIGHT

Witness Corroborates Testimony of CONGRESSMAN IN SCANDAL Man Who Turned State's Evi-

dence in Tube Case. Pittsburg, May 9.—Today's witnesses in the trial of J. Jay Dunn and Charles I. Close, charged with furnishing de- . Harrisburg, Pa., May 9.-S. Mar-

Elmer S. Mason correborated the tes- @ Williams testified before the capithe state executive committee. He a semi-annually dividend basis. As a and Chicago, was wrecked today near state's evidence, relative to the opening weeks ago that he borrowed \$10,600 \$ result a quarterly dividend of 1½ per Lawndale, six miles from the city, and of the desk of the government inspectwenty passengers were hurt and one tor, where was kept the stamp. He of the last gubernatorial campaign in was killed on the said that he had frequently seen Em-of Pennsylvania after he had made mett going through the mill yards, threats to expose how he was

> Perry M. Thompson swore that when the new capitol. the baggage car and one coach with the exposure was first made Close and . He admitted borrowing the monthe exposure was installed the exposure was installed the exposure was installed to the exposure as a witness, but he should not give & deny that it had been given to him the government attorneys the impres- o by Congressman H. Burd Cassel,

R. Burnett, who operated the hydraulic testing machine, said he ex
worth of metallic furniture for the said he examined the gauge when the tubes were & capital. A. M. Hinckley, Mrs. C. H. Thayer tested and that about half the tubes were given no pressure at all. Emmett knew the pressure was weak.

NOT YET, BUT SOON.

ADMIRAL'S NIECE DEAD. Watterson, aged 26 years, said to be a wounded by John Shotwell last night niece of Rear Admiral Robley Evans, while the officers were attempting to and a member of the Daughters of the arrest him on a warrant issued by the accident and placed upon blankets American Revolution was found dead in Governor Beckham for violating a

given as heart failure. MANY LIVES LOST.

Marseilles, May 9.-The latest report eight members of the crew lost their donated by a private family, whose

Powerful Editorials in Defense Serious Situation at Murray Smelter Denied by Superintendent Norton.

EXPRESS WARM APPROVAL CONFERENCE IS FRUITLESS

INCREASE.

******** At an early hour this morning Mr. Kerr's election to the presidency of the Oregonian Agricultural college, because of the Mormon affiliations of his early manhood.

blanket increase of 25 cents a day and

Go Back to Work.

The American machinists and other skilled laborers went back to work yesterday, though they had to go through interfered with, however, and will continue working today.

The foreigners kept off the streets of Their leaders declare the men will never go back to work at the old wages as they can get more money in other plants and on railroad construction Several deputy sheriffs went down from Salt Lake yesterday and spent the day at Murray, returning late last night. They had little to do, however, and the same guard patrolled the smelter works last night that guarded the

It is rumored that the Murray foreigners are trying to incite a strike of the employes of the United States Smelting company at Bingham Junction. It is very improbable, however, that they will succeed. Yesterday was payday at the United States company's plant and as far as can be learned there is no intention among the men

H. Burd Cassel of Pennsylvania Tangled Up With the State

Capitol Thievery. fective boiler tubes for warships, were shall Williams, of Pittsburg, totract for the lighting fixtures of \$

Mrs. Mary Miller w,ho had her right sion that anything had been done se- of Marietta, Pa., president of the Pennsylvania Construction com-

ASK FURTHER INCREASE.

Omaha, Neb., May 9.-A committee representing 5,000 packing house workmen in the South Omaha packing houses called upon the managers of the Madrid, May 9 .- The health of splants today and asked for increased Queen Victoria is still all that wages. A strike is threatened if the incould be expected. The advent of crease is not granted. The packers the royal baby is looked for within • asked time to discuss the matter with two weeks. Today the queen, in the Chicago heads of the companies. • addition to superintending some • The workingmen who are making the

TWO OFFICERS SHOT.

Williamsburg, Ky., May 9.-Sheriff W. B. Croley and Deputy Sheriff Zeb El Paso, Texas, May 9.-Miss Mattie Ward were both shot and seriously

sentence when paroled two months ago.

GIFT FOR PRINCETON. Princeton, N. J., May 9.-John Grier Harry Newland, the engineer, was received here concerning the loss of the Hibben, in a communication from the wrecked off the coast of Uruguay, is to announces the gift of \$1,200,000 to

name is not made public

SALT LAKE SHRINERS CONTINUE TO BASK IN SUNSHINE OF SOUTHERN CALIFORNIA

(Special to The Herald.) banked in flowers, will traverse the handsomely appearing patrols." streets. The Shriners were again much then it makes Captain Carr say:

Victoria, B. C., May 9.—A special will stay a while in California. Others here don't go to the bad from an over-Wells, a motorman, was killed and ten of the people living in the vicinity of the back from an over-other persons were injured in a color of Mount Etna are panic stricken. of from Fernic, B. C., says the striking say they are going back. The backelors dose of joy before they go back to Salt The Record tonight prints this item: 'myself."

where a little Coney Island exists.

1"The El Kalah patrol, Salt Lake, Los Angeles, Cal., May 9.-With the though making its first appearance in third electric parade tonight the after-the drill teams take on a dromedary dark parades close. Tomorrow is the double hump. Their uniform of white floral daylight parade, in which hun- and yellow has received probably the dreds of floats, autos and vehicles, most enthusiastic praise of any of the in evidence today. The patrols went to were a little bit nervous, it being our Santa Catalina island to see the sub- initial stunt, but the California cheers marine gardens, catch monster fish and soon made us feel at ease. I was never take mountain jaunts. The other so royally entertained in my life and Shriners put in the day at Long Beach, the members of our temple vote this the best time ever, to a man. Our or-Salt Lake's sons may be lost to Utah ganization will be entirely disrupted if if they stay here much longer. Some all the members who have stated that